

REMARKS

The Official Action dated January 24, 2008, the Examiner rejected pending claims 1,3-5,8-13 and 17, 18, 29 and 31-69. Applicants request that the Examiner reconsider the rejections in light of the amendments to the claims and the following discussion.

Regarding claim 1, Gendreau 201/0034608 does not teach or suggest a verifier operable to scan a label applied by the labeler to verify that the information printed by the printer was printed properly. In fact, in the discussion of claim 17 in the office action, the Examiner acknowledged that Gendreau does not teach a verifier. The Examiner asserted that Edmonds teaches that if the OCR cannot read an address then the letter is rejected. Based on this, the Examiner asserted that it would be obvious to combine Edmonds teaching with Gendreau. The problem is that this still does not teach the features of claim 1.

Claim 1 is directed to a device that weighs a piece of mail, scans the piece to determine the address information for the recipient of the mail, and then a labeler for applying a label to the piece and a printer for printing postal information in response to the determined address information and the weight of the piece. The verifier is operable to scan the label applied by the labeler to verify that the postal information (based on the address and weight) was printed correctly. Edmonds does not teach such a verifier.

In fact, it would not make sense for Edmonds to teach such a verifier because Edmonds is directed to a system for processing mail received by the Post Office, which generally does not apply postage when processing—that's the sender's responsibility. Since Edmonds does not teach the verifier recited in claim 1, and since the Examiner has already acknowledged that Gendreau does not teach such a verifier, Applicants request that the Examiner reconsider the rejection of claim 1 and dependent claims 3-5, 8-12 and 50-51.

With regard to claim 13, as discussed above, neither Gendreau nor Edmonds teach or suggest the recited verifying features. Claim 13 recites the step of scanning a piece of mail to determine address information, which is distinct from the postal information that is verified in the step of verifying. Specifically, the postal information is determined based on the address information and the weight of the piece. This postal information, which could be metered mail, a permit or otherwise, is printed on a label that is applied to the mail. The printed postal information is scanned to verify that it was properly printed. As discussed above, neither Gendreau nor Edmonds teach such a step of verification. Accordingly, Applicant requests that the Examiner reconsider the rejection of claim 13 and dependent claims 18, 29 and 52-54.

With regard to claim 31, claim 31 recites a system having a verifier, similar to claim 1. Accordingly, for reasons similar to those discussed above in connection with claim 1, claim 31 is also patentable over the art of record. Accordingly, Applicants

request that the Examiner reconsider the rejection of claim 31 and dependent claims 32-39, 41 and 55-56.

With regard to claim 42, the claim recites a labeler positioned along the transport path for selectively applying labels to the pieces of mail. Gendreau only teaches the use of a labeler that is positioned spaced apart from the transport path, which prints out a label that an operator can manually apply to the mail. Further, Gendreau never discusses or suggests an automatic labeler that selectively applies labels to the pieces. Since Gendreau does not teach or suggest the features of claim 42, Applicants request that the Examiner reconsider the rejection of claim 42 and dependent claims 43-44 and 57-58.

Claim 45 is a method claim that recites the step of adhering a label and conveying the piece to a printer and printing information on the label. Gendreau does not teach the steps of conveying to a labeler and conveying to a printer. Therefore, Applicants request that the Examiner reconsider the rejection of claim 45 and dependent claims 46-47 and 59-61.

Claim 48 is a method claim that recites the step of selectively applying labels to pieces. As discussed above, Gendreau does not teach or suggest the step of selectively applying labels. Accordingly, Applicants request that the Examiner reconsider the rejection of claim 48 and dependent claims 49 and 62-64.

Claim 65 is an apparatus claim that also recites that the labeler selectively applies labels to the mail. As discussed above, Gendreau does not teach selective application of labels. Therefore, Applicant requests that the Examiner reconsider the rejection of claim 65 and dependent claims 66-69.

In light of the foregoing, Applicant believes that this application is in form for allowance. The Examiner is encouraged to contact Applicant's undersigned attorney if the Examiner believes that issues remain regarding the allowability of this application.

Respectfully submitted,

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Petition for Extension Under 37 CFR §1.136(a)

Applicant's undersigned Attorney hereby petitions for an extension of time of **THREE** months beyond the time period set in the last office communication. The proper fee is enclosed as identified in the enclosed Fee Transmittal form.

July 23, 2008 //Stephen Eland//
Date of Certificate Stephen H. Eland